

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

NITZ, WALTON & HEATON, LTD.601 SOUTH TENTH STREET, SUITE 201
LAS VEGAS, NEVADA 89101W. OWEN NITZ
JAMES H. WALTON
WILLIAM H. HEATON
ASHLEY E. NITZ
STACEY K. NITZ-ALBREGTS
JAMES A. FONTANOTELEPHONE
(702) 474-4004TELECOPIERS
(702) 384-3011
(702) 387-7897E-MAIL Owen@nwhltd.com

February 26, 2009

Hand DeliveryMargo Wheeler
Director of City Planning & Development
731 South 4th Street
Las Vegas, NV 89101**Protest**

Re: VAR-32998-Variance Public Hearing-Applicant/Owner: Oscar Siguenza

Location: 4460 Marlena Circle

Dear Ms. Wheeler,

I received a notice of a matter coming before the Planning Commission on February 26, 2009 at 6:00 p.m. that relates to a house that is located immediately next door to the north of a home that I have owned since 1965 on Marlena Circle. I have owned and occupied, or had the property occupied by my daughter, Gina Guevara since 1965. My house is approximately 2,700 square feet and the house that is the subject of the requested Variance is probably somewhat equivalent in size. It is my understanding, from my daughter, and also from other neighbors in the circle, (who by the way still maintain a very respectable neighborhood environment) that the absentee owner of the house that is the subject of the variance, merely wants to modify or other wise, enlarge the house, so he can convert it into a duplex, or other multi-family use. The address to my house is 4465 Marlena Circle and I enclose an informational flyer from David Woolman, who owns the property at 4446 Marlena Circle, which is the house immediately east of the subject. I understand he is a City of Henderson Police Officer and his summary has been confirmed to me by my daughter.

I would appreciate your support in opposition to this Variance and specifically request that you recommend to the appropriate member on the Planning Commission to cause this Variance to be rejected in all respects, and in such a manner as to absolutely discourage the re-application of the proposed use, no matter how disguised. It is just one more example of an attempt by absentee owners and speculators to ruin one more neighborhood, solely for their own greedy profit motives. Certainly, we have seen enough in this City now to recognize that this type of speculator is the type that should be discouraged in every way and in fact, in my opinion, given a message to get out of town. The real reason for the requested variance is succinctly summarized in Mr. Woolman's enclosed Memo.

I may not be able to attend the Planning Commission Meeting because of other commitments, but I am sure that Mr. Woolman will be there, as well as someone representing my daughter as the occupant of my house at 4465 Marlena Circle.

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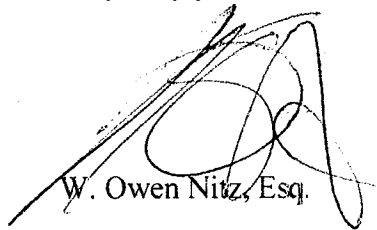
Margo Wheeler
Director of City Planning & Development
February 26, 2009
Page Two

I would welcome any comments or questions you might have and request that even though this is one small instance, relating to a single house, nevertheless, it demonstrates how the granting of this type of Variance can be the genesis of the destruction of one more pleasant neighborhood. All the homes in this circle are single family homes, which were built in approximately 1963. They are all, with the exception of the house subject to the Variance Application, properly cared for, and pride of ownership is still apparent in the entire circle.

Accordingly, It is respectfully requested that you join in my opposition to make certain that this Variance is not allowed. Thank you for your consideration.

With best regards I remain,

Very truly yours,



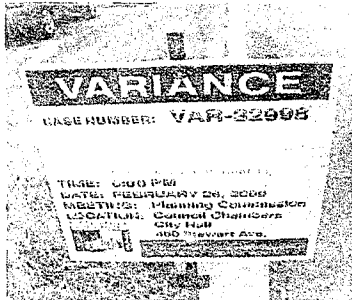
W. Owen Nitz, Esq.

WON/lmr

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4460 Marlena Circle

The Owner of the Property wants to make this single family residence into a Duplex. Las Vegas City Code states that our residential development is Single Family Residential Restricted, so the owner who currently rents out this house needs a Variance to do so.



VAR-32998 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OSCAR SIGUENZA - Request for a Variance TO ALLOW A 9-FOOT REAR YARD SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED FOR THE CONVERSION OF AN EXISTING CARPORT INTO HABITABLE SPACE on 0.33 acres at 4460 Marlena Circle (APN 139-19-412-009), R-D (Single Family Residential-Restricted) Zone, Ward 5 (Barlow) (From Las Vegas Planning Commission agenda).

The current owner of the residence is a real estate agent who owns 6 other homes in the valley, which he rents out, this is his game.

He has already tried numerous times to make the residence a Duplex since he bought it in 2004. He even had a wall built through the middle of the house, making it into two completely separate living spaces. He rented out both spaces and had as many as 12 people living at the residence at one time. The city of Las Vegas Code Enforcement was called and a petition was signed throughout the neighborhood, stating that we don't want our Single Family development turning into a rental housing project or Duplex area.

My family and I have only lived in this neighborhood since 2003, but we intend to stay for a while. I have been witness to numerous police calls to the home, SWAT kicking in the door, and even a drive by shooting that took place as I was leaving for work, ALL BECAUSE OF THIS HOUSE! The Owner does not care who he lets rent his house, believe me I have spoken to him many times about it. We are not the nosy neighbors that get into everybody's business, but we do take pride in our neighborhood. This is one of the last great neighborhoods in Las Vegas. It is the reason I moved to this area, it was different than the rest. We as a neighborhood can't let it become a slum, or a typical Las Vegas neighborhood, where nobody cares about their neighbors.

So I ask you as neighbors, please join me and my family at 6:00 PM on February 26th 2009 in the City Council chambers at 400 E Stewart to tell the city council we will not let our neighborhood die and become a housing project. IF YOU HAVE ANY QUESTIONS CALL ME 557-4954, Thank you, David Woolman.

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FEB 27 2009

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Ref: VAR 32998

4460 Marlena Circle
(APN 139-19-412-009)
Ward 5 (Barlow)

Protest

Councilman Barlow;

Unfortunately I will be unable to attend this important public hearing for the variance on this property.

I agree with the neighbors to **keep this neighborhood as is, a single family residential area.** We moved here because it was a single family area and we want to keep it that way. If I wanted to live next to duplexes or projects, I would have bought there.!

It is essential to the safety and well being of our neighborhood to keep it a single family residence.

I have lived in this area since 1980 and the main reason for living here is because it is a quiet, single (emphasis on single) family neighborhood with pride. This area is one of the few old, well kept areas in the City of Las Vegas and I / we would like to keep it that way. These homes are beautiful, unique, rather large single family homes, but not large enough to split into two.

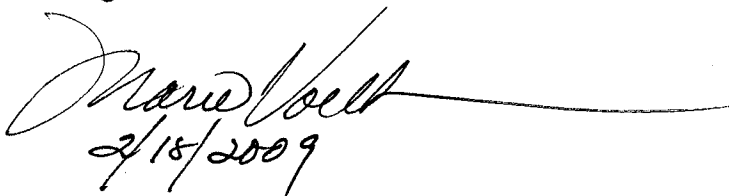
Housing projects and duplexes should not be placed in the middle of single family homes. It lowers the standards and quality of the neighborhood. Such a small dwelling can and will only bring the kind of residents that are not suited for this neighborhood. I do not want my property to depreciate in value because of an individual, who doesn't even live here, who is greedy, careless and reckless in his decisions.

A careless decision as such will cause property values to plummet. I for one would not purchase a single home next to or near a converted duplex.

There are enough slums and slum landlords already, let's not allow them to slither into our great neighborhood.

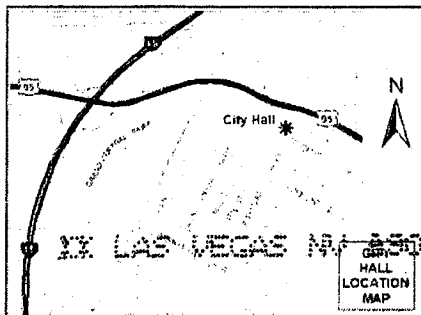
Please block this variance request from going through and save our neighborhood !!

Long time resident
Marie Voelker
1705 Parkchester Drive
Las Vegas, NV 89108


2/18/2009

Submitted at Planning Commission
Date 2/26/09 Item 40

Return Service Requested Official Notice of Public Hearing



Planning Commission Meeting of 2/26/2009

**PRESORTED
FIRST CLASS**



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13919415056
HUFFMAN VALERIE J
1617 BLUESTONE DR
LAS VEGAS NV 89108-2019

Case: VAR-32998

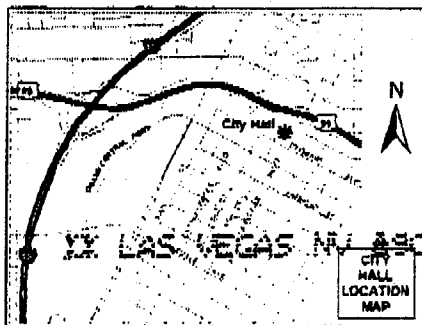
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City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.



I SUPPORT
 this Request



I OPPOSE
 this Request

Please use available blank space on card for your comments.

VAR-32998

Planning Commission Meeting of 2/26/2009

PRESORTED
 FIRST CLASS



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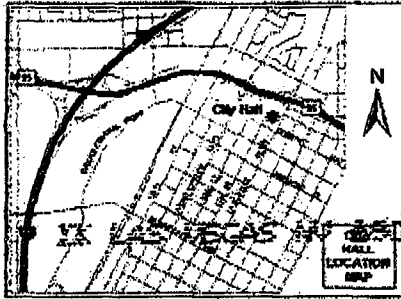
13919414002 Case: VAR-32998
 PERRY SANDRA J
 4428 PARKCHESTER DR
 LAS VEGAS NV 89108-2047

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City of Las Vegas
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Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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Official Notice of Public Hearing



02-14-09

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I OPPOSE
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VAR-32998

Planning Commission Meeting of 2/26/2009

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FIRST CLASS



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13919412007
WARD BRIAN TRUST
4428 MARLENA CIR
LAS VEGAS NV 89108-2004

Case: VAR-32998

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Application Information

VAR-32998 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: OSCAR SIGUENZA - Request for a Variance TO ALLOW A 9-FOOT REAR YARD SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED FOR THE CONVERSION OF AN EXISTING CARPORT INTO HABITABLE SPACE on 0.33 acres at 4460 Marlena Circle (APN 139-19-412-009), R-D (Single Family Residential-Restricted) Zone, Ward 5 (Barlow)

I am extremely concerned about the requested variance at 4460 Marlena Cir.

I have lived in this neighborhood for 30 plus years. This is one of the last few neighborhoods that hasn't been infested with rental housing projects. This is a family neighborhood, and it would be an outrage to see it turn into a slum, as so many other neighborhoods have. Please stand by your previous decisions, as the owner has attempted this before.

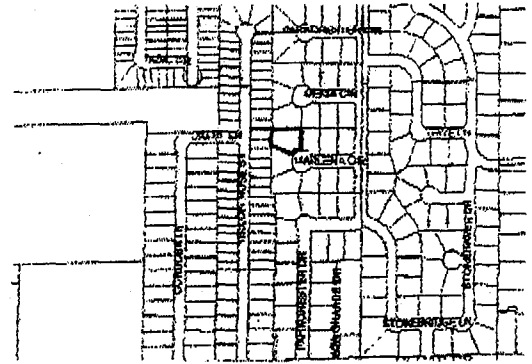
Brian Ward

Any and all interested persons may appear before the Planning Commission to object to or express approval of this request, or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning Commission. Final Action on General Rezonings will be determined at the City Council meeting, if applicable, will be at the City Council meeting. For further information, please call (702) 229-6301.



Mr. Brian Ward
4428 Marlena Cir
Las Vegas, NV 89108

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
Date: February 26, 2009
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

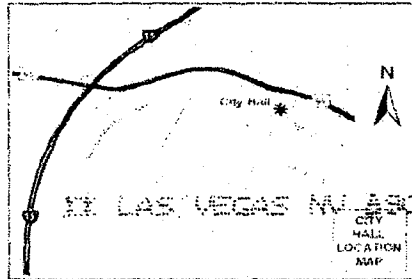
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I oppose

282

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

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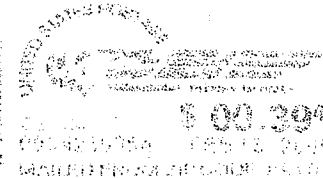
VAR-32998

Planning Commission Meeting of 2/26/2009

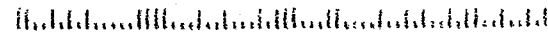
13919412008
WOOLMAN DAVID
4446 MARLENA CIR
LAS VEGAS NV 89108-2004

Case: VAR-32998

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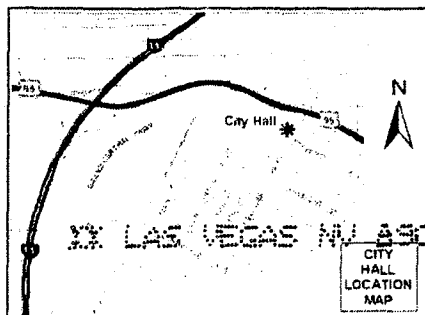
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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I SUPPORT
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VAR-32998

Planning Commission Meeting of 2/26/2009

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FIRST CLASS

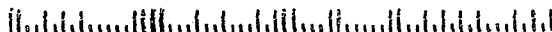


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Case: VAR-32998
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4459 DENIA CIR
LAS VEGAS NV 89108-2003

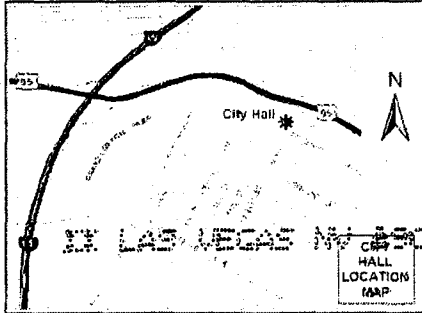
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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☐

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I OPPOSE
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VAR-32998

Planning Commission Meeting of 2/26/2009

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FIRST CLASS



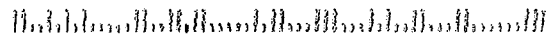
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4800 PRIME CT
LAS VEGAS NV 89130-2709

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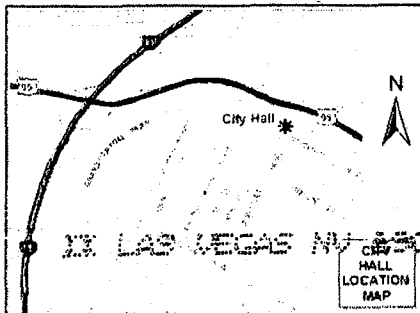
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Planning & Development Department
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731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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Planning Commission Meeting of 2/26/2009

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Case: VAR-32998

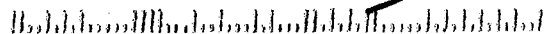
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1825 RIDGEFIELD DR

LAS VEGAS NV 89108-2150

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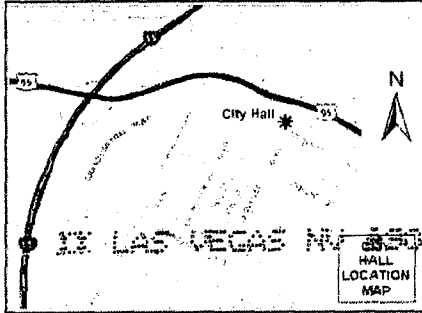
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City of Las Vegas
Planning & Development Department
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Las Vegas, Nevada 89101-2986

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☐ I SUPPORT
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vehemently!

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VAR-32998

Planning Commission Meeting of 2/26/2009

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PINNEY BOWES

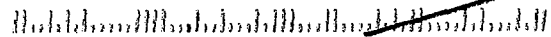
*I have lived in this area
since 1980 - this "15" a "single"
family residential neighborhood -
I'm totally opposed at this
request.*

*NO - DON'T TURN IT
INTO A Duplex!!*

13919414004 Case: VAR-32998
VOELKER MARIE LIVING TRUST
1705 PARKCHESTER DR
LAS VEGAS NV 89108-2000

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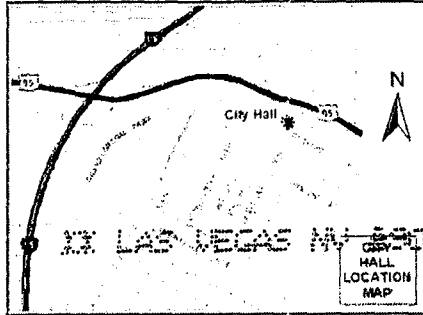
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Las Vegas, Nevada 89101-2986

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I OPPOSE
this Request

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Planning Commission Meeting of 2/26/2009

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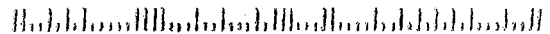
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SHULDA RICKY & PATRICIA
4459 MARLENA CIR
LAS VEGAS NV 89108-2004

Case: VAR-32998

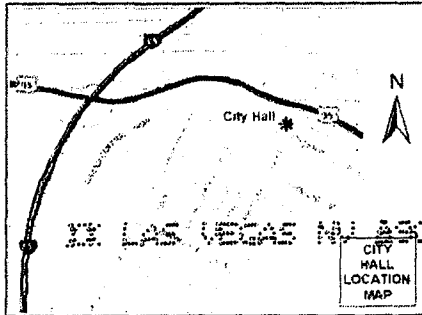
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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Official Notice of Public Hearing



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☐

I SUPPORT
this Request

☐

I OPPOSE
this Request

Please use available blank space on card for your comments.

VAR-32998

Planning Commission Meeting of 2/26/2009

PRESORTED
FIRST CLASS



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DWYER DAVID A & VICKIE K
1800 STONEHAVEN DR
LAS VEGAS NV 89108-2055

Case: VAR-32998

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CHRIS

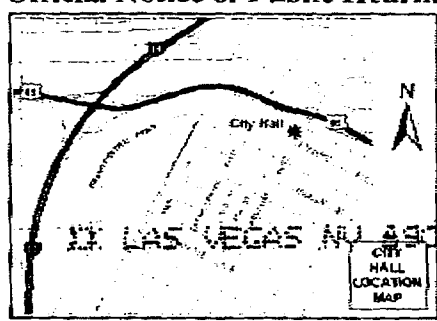
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Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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VAR-32998

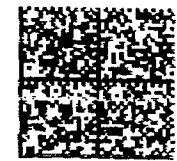
Planning Commission Meeting of 2/26/2009

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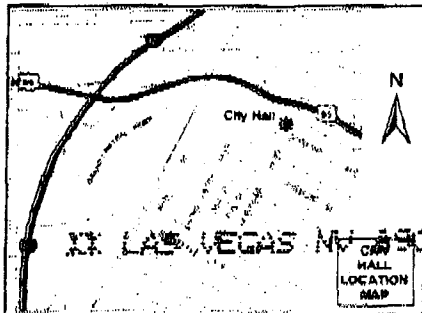


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13919810002 Case: VAR-32998
EASTLAND HEIGHTS WATER ASSOC
P O BOX 270549
LAS VEGAS NV 89127-4549

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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VAR-32998

Planning Commission Meeting of 2/26/2009

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SWABY ELSA M TRUST
8440 DESERT QUAIL DR
LAS VEGAS NV 89128-8223

Case: VAR-32998

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City of Las Vegas
Planning & Development Department
Development Services Center
800 North Fourth Street
Las Vegas, Nevada 89101-2986

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02-14-09

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☐ I SUPPORT
this Request

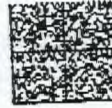
☒ I OPPOSE
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VAR-32998

Planning Commission Meeting of 2/26/2009

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THIS IS NOT A
DUPLICATE COMMERCIALITY.
IT CHANGES OUR
ENVIRONMENT NEGATIVELY.

Case: VAR-32998

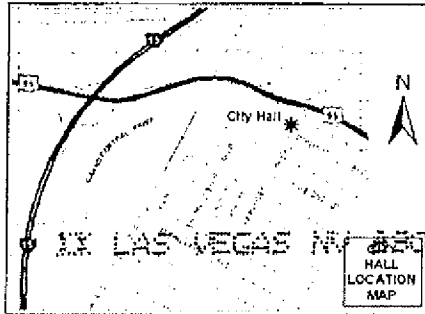
13919415012
PEYTON ROBERT B & JEAN A
1604 BLUESTONE DR
LAS VEGAS NV 89108-2020

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City of Las Vegas
 Planning & Development Department
 Development Services Center
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 Las Vegas, Nevada 89101-2986

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I have lived in this area since 1980 - this "is" a "single" family residential neighborhood - I'm totally opposed at this request.

NO - DON'T TURN IT INTO A Duplex!!

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I SUPPORT
 this Request



I OPPOSE
 this Request

vehemently!

13919414004
 VOELKER MARIE LIVING TRUST
 1705 PARKCHESTER DR
 LAS VEGAS NV 89108-2005

Case: VAR-32998

Please use available blank space on card for your comments.

VAR-32998

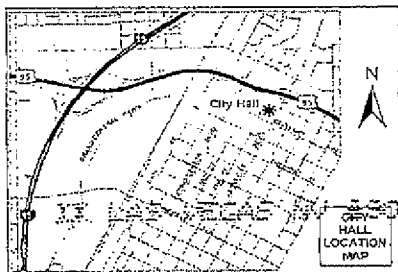
Planning Commission Meeting of 2/26/2009

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Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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☒ I OPPOSE
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Please use available blank space on card for your comments.

VAR-32998

Planning Commission Meeting of 2/26/2009

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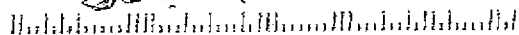


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MAILED FROM ZIP CODE 89101

We strongly oppose
converting a single family
home into a duplex! It
will further erode our
property values with
a glorified apartment.
It is not good
for our families or
the existing neighborhood.
See the attached flyer.

13919415052
BALTZ F VAN & ROBERTA LINDO
4229 STONEBRIDGE LN
LAS VEGAS NV 89108-2017

Case: VAR-32998



4460 Marlena Circle

The Owner of the Property wants to make this single family residence into a **Duplex**. Las Vegas City Code states that our residential development is Single Family Residential Restricted, so the owner who currently rents out this house needs a Variance to do so.



- VAR-32998 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OSCAR SIGUENZA - Request for a Variance to ALLOW A 9-FOOT REAR YARD SETBACK WHERE 30 FEET IS THE MINIMUM REQUIRED FOR THE **CONVERSION OF AN EXISTING CARPORT INTO HABITABLE SPACE** on 0.33 acres at 4460 Marlena Circle (APN 139-19-412-009), R-D (**Single Family Residential-Restricted**) Zone, Ward 5 (Barlow) (From Las Vegas Planning Commission agenda).
- The current owner of the residence is a real estate agent who owns 6 other homes in the valley, which he rents out, this is his game.
- He has already tried numerous times to make the residence a Duplex since he bought it in 2004. He even had a wall built through the middle of the house, making it into two completely separate living spaces. He rented out both spaces and had as many as 12 people living at the residence at one time. The city of Las Vegas Code Enforcement was called and a petition was signed throughout the neighborhood, stating that we don't want our Single Family development turning into a rental housing project or Duplex area.
- My family and I have only lived in this neighborhood since 2003, but we intend to stay for a while. I have been witness to numerous police calls to the home, SWAT kicking in the door, and even a drive by shooting that took place as I was leaving for work, **ALL BECAUSE OF THIS HOUSE!** The Owner does not care who he lets rent his house, believe me I have spoken to him many times about it. We are not the nosy neighbors that get into everybody's business, but we do take pride in our neighborhood. This is one of the last great neighborhoods in Las Vegas. It is the reason I moved to this area, it was different than the rest. We as a neighborhood can't let it become a slum, or a typical Las Vegas neighborhood, where nobody cares about their neighbors.
- So I ask you as neighbors, please join me and my family at 6:00 PM on February 26th 2009 in the City Council chambers at 400 E Stewart to tell the city council we will not let our neighborhood die and become a housing project. **IF YOU HAVE ANY QUESTIONS CALL ME 557-4954, Thank you, David Woolman.**

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Ref: VAR 32998

4460 Marlena Circle
(APN 139-19-412-009)
Ward 5 (Barlow)

Protest

Councilman Barlow;

Unfortunately I will be unable to attend this important public hearing for the variance on this property.

I agree with the neighbors to **keep this neighborhood as is, a single family residential area.** We moved here because it was a single family area and we want to keep it that way. If I wanted to live next to duplexes or projects, I would have bought there.!

It is essential to the safety and well being of our neighborhood to keep it a single family residence.

I have lived in this area since 1980 and the main reason for living here is because it is a quiet, single (emphasis on single) family neighborhood with pride. This area is one of the few old, well kept areas in the City of Las Vegas and I / we would like to keep it that way. These homes are beautiful, unique, rather large single family homes, but not large enough to split into two.

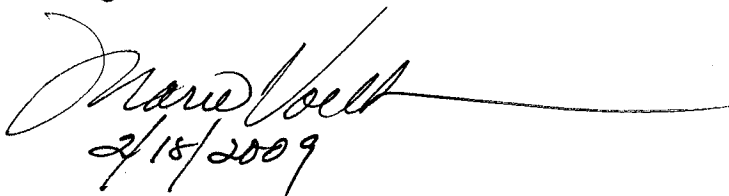
Housing projects and duplexes should not be placed in the middle of single family homes. It lowers the standards and quality of the neighborhood. Such a small dwelling can and will only bring the kind of residents that are not suited for this neighborhood. I do not want my property to depreciate in value because of an individual, who doesn't even live here, who is greedy, careless and reckless in his decisions.

A careless decision as such will cause property values to plummet. I for one would not purchase a single home next to or near a converted duplex.

There are enough slums and slum landlords already, let's not allow them to slither into our great neighborhood.

Please block this variance request from going through and save our neighborhood !!

Long time resident
Marie Voelker
1705 Parkchester Drive
Las Vegas, NV 89108


2/18/2009

Submitted at Planning Commission

Date 2/26/09 Item 40



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

Phone/Fax: 702-877-2438

TO: CLV Planning Commissioners—Chair TROWBRIDGE, V.Chair TRUESDELL,
GOYNES, EVANS, QUINN, ELLSWORTH and BUCKLEY
FROM: CNP
DATE: 24 Feb 2009

RE: Certain agenda items from the 26 Feb 2009 CLV planning commission AGENDA

#15 VAR-31680 Seems to us this is to advertise to Freeway folks, we suggest YES
provided on site residents are ok with it.

#16 VAR-31854 Same comment as #15.

#23, 24, and 25 We welcome this addition to our neighborhood and request your YES.

#32 SUP-33014 and #33 SDR-33013 related to ----16 & -----18 Oh, my this mixed use
plan certainly looks like a 'dump' in the making. ZERO buffers to the North, West &
South? Well, maybe a ROOF garden is planned?

#38 VAR-32995 & #39 SUP-32994 Maybe YES is ok but, please make sure they have an
attractive Rainbow & Lake Mead "greenery".

Painted crosswalks on parking lots seem to not be included in some newer additions.

#40 VAR-32998 Of course, YES.

We appreciate your consideration regarding our concerns and suggestions for the
livability and appearance of the above Planning Agenda items.

CHARLESTON NEIGHBORHOOD PRESERVATION
President June Ingram and Board

June Ingram
President CNP

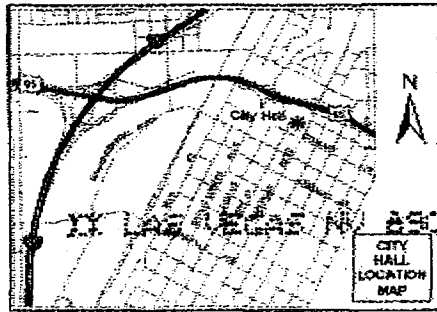
Submitted after meeting
Date 2/28/09 Item 40

BOARD & ADVISORY MEMBERS

Dennis Ardine-Vicki Arnold-Dick Bratton-Juanita Clark- Miriam Een-Danielle Hanslip- Rose Honrath- June Ingram-Rick Johnson-
Gene & Pearl Lombardo- Joan Lynch- Dorothy Orr- Pamela Stancillita- Marcus Gohel- Layne Rushforth- Jeanine Swann- Jean Withers- Others

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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02-14-09

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☒ I SUPPORT
this Request

☐ I OPPOSE
this Request

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VAR-32998

Planning Commission Meeting of 2/26/2009

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FIRST CLASS



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Case: VAR-32998

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ALANIZ VICTOR E & VINCENT
1736 ISABEL WY
UPLAND CA 91784-9275

RECEIVED
FEB 23 2009

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